

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

Case No. 5:24-cv-00278-M-BM

MURDOCK READY MIXED CONCRETE
COMPANY,

Plaintiff,

v.

RITCHIE BROS. AUCTIONEERS
(AMERICA) INC., et al.,

Defendants.

ORDER


This matter comes before the court on Plaintiff's Motion to Amend Complaint [DE 20], Motion to Continue [DE 24], Motion to Stay [DE 25], and Motion to Submit Audio Clips [DE 33].

The court declines to consider the merits of the pending motions as they are improperly before the court. Plaintiff, a corporate entity, has filed a notice of self-representation and thus far proceeded pro se. [DE 3]. "[A] corporation may appear in federal courts only through licensed counsel." *Rowland v. Cal. Men's Colony, Unit II Men's Advisory Council*, 506 U.S. 194, 202 (1993); *see also Allied Colloids, Inc. v. Jadair, Inc.*, 139 F.3d 887 (Table), 1998 WL 112719, at *1 (4th Cir. 1998) (affirming the rejection of a pro se corporate defendant's answer). Courts in this circuit have routinely found that a corporate parties' failure to obtain counsel may warrant adverse action, including the dismissal of its claims without prejudice. *See Dusange-Hayer v. Karnalite Res., Inc.*, No. 2:15-4341, 2016 WL 5334682, at *3 (D.S.C. July 29, 2016) (dismissing a corporate plaintiff without prejudice because it failed to obtain counsel); *Tailored Chem. Products, Inc. v. Dafco Inc.*, No. 5:21-CV-00069, 2022 WL 18401011, at *1 (W.D.N.C. Dec. 20,

2022) (finding that a corporate defendant's failure to retain licensed counsel may subject it to default judgment).

The pending motions are not properly before the court, so they are DENIED WITHOUT PREJUDICE. Further, Plaintiff is ORDERED to retain counsel and provide the court with appropriate notice of the same on or before May 2, 2025. Failure to comply may result in the dismissal of its claims without prejudice.

SO ORDERED this 2^d day of April, 2025.



RICHARD E. MYERS II
CHIEF UNITED STATES DISTRICT JUDGE